

**17—21.16 (231) Contracting for case management services.**

**21.16(1)** AAA may choose to contract with local provider agencies for delivery of case management services. If the AAA contracts for case management services, the AAA shall have written procedures established under 17—6.9(231) that create a framework for ongoing review of how the contract agency is meeting program standards and the terms of the contract. The department shall audit AAA procedures to ensure that the area agency's monitoring is sufficient and timely.

**21.16(2)** Provider agencies shall meet all program organization and personnel requirements of this chapter.

**21.16(3)** The following requirements shall be in place to ensure that service plan development is conducted in the best interest of the consumer:

*a.* When assigning a consumer to a case management entity under contract, the AAA shall make all reasonable efforts to assign the consumer to an agency not currently providing direct services to that particular consumer in an effort to avoid potential conflicts of interest.

*b.* If the case manager is employed by the same agency that provides other direct services to the consumer, the case manager shall discuss with the consumer or the consumer's legal representative the issue of potential conflict of interest. The case manager shall inform the consumer that the consumer has free choice of providers and that selection of any particular provider will not influence the services provided by the case manager. The conversation and the consumer's response shall be documented in the case notes.

*c.* When explaining provider options, the case manager shall include, at a minimum, the name, address, and telephone number of the potential provider agencies; the types of services provided; and the frequency and units of service the consumer would be able to receive if there is a cost differential between providers of the same service.

**21.16(4)** The AAA must have a written plan completed to monitor adherence by case management providers to the standards in subrule 21.16(3). Contracts must contain provisions that require case management providers to have written conflict of interest policies that include but are not limited to:

*a.* Specific procedures to identify where conflicts could exist;

*b.* Procedures to eliminate or minimize the conflicts upon identification of situations that might indicate that a conflict of interest could exist;

*c.* Steps that must be taken to resolve the issue when a conflict of interest arises or a complaint of conflict of interest is received; and

*d.* Written documentation or follow-up letters that show that the outcome was satisfactory to all parties involved.